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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
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6 DALE K. GULBRANSEN,
7 Petitioner,

3:05-cv-0544-PMP-VPC

8 vs.


ORDER

9 CRAIG FARWELL, *et. al.*,
10 Respondents.
11

12 Having read and considered Respondents' Motion for Clarification of Court
13 Order (Doc. #72), and Petitioner's Opposition thereto (Doc. #74), and good cause
14 appearing,

15 **IT IS ORDERED** that Respondents' Motion for Clarification of Court
16 Order (Doc. #72) is **GRANTED** to the extent that the 120 days deadline set forth in
17 this Court's Order (Doc. #65) within which Petitioner Gulbransen must either receive
18 a new trial or be released from custody, is hereby clarified to provide that the 120 days
19 shall be deemed to have commenced from the date of service of the Court's Order
20 (Doc. #65) on the Clark County District Attorney's Office on September 24, 2010.
21 This Court defers to the state district court to determine when the retrial of Petitioner
22 Gulbransen should commence within the confines of the 120 day time frame as
23 clarified herein.

24 DATED: January 4, 2011.

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27 PHILIP M. PRO
28 United States District Judge